Serial No. 10/796,302 Docket No. PTGF-04009 (HIR.093)

## **REMARKS**

Claims 1-6, 13-17 and 19-22 are all the claims presently pending in the application. By this amendment, claims 1, 3 and 13 are amended, claim 18 is cancelled, and claim 20-22 are newly added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and <u>not</u> for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants gratefully acknowledge the allowance of claim 3, and the indication that claims 17 and 18 would be <u>allowable</u> if rewritten in independent form. As <u>claim 13 is not rejected</u> on prior art grounds, Applicants understand that claim <u>13 is also allowable</u> if rewritten in independent form.

Claims 1, 2, 14 and 19 stand rejected under 35 U.S.C. §102(a) as being anticipated by Yuji, et al. (JP 2002-076434). Claims 4-6, 15 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yuji in view of Shinkai, et al. (U.S. Patent No. 4,540,915).

While Applicant completely disagrees with the Examiner's rejections, to speed prosecution allowable claim 18 has been incorporated into claim 1, thereby to pass all of the claims to allowance.

Further, new claims 20-22 which depend from claim 1, are similarly patentable.

## I. FORMAL MATTERS AND CONCLUSION

## A. Drawing Objections

The drawings once again are objected to for allegedly failing to show all of the features recited in the pending claims. Specifically, it is alleged that the features of claims 13 and 17 are not shown in the drawings.

As previously pointed out to the Examiner, the features of claims 13 and 17 are clearly shown in the figures and described in the specification. For example, in claim 13, the phosphor layer 33, optical system including a convex lens 33, 64 are shown in Figs. 5 and 11.

The phosphor layer including plural layers 33R, 33G, 33B and the optical system including a plurality of layers including different kinds of phosphor glass are shown in Fig. 5.

As the elements of the claims are shown in the figures, Applicants again request withdrawal of the objection to the drawings.

## **B.** Conclusion

In view of the foregoing, Applicants submit that claims 1-6 and 13-19, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for <u>allowance</u>. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date:

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Respectfully Subn

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